

REMARKS/ARGUMENTS

Claims 1-11 are pending in the present application. Claim 10 has been cancelled. Claim 6 and 10 were objected to for informalities. Claim 6 has been amended to overcome this objection and claim 10 has been cancelled. Claims 2, 3, 9 and 11 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 2 and 9 have been amended to overcome this rejection. Claims 1 and 6-8 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Izumi (U.S. Pat. No. 4,531,369). Claims 9 and 11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Izumi. Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Izumi in view Mangano et al. (U.S. Pat. No. 6,295,811). Claims 2 and 3 are considered allowable if they were rewritten to overcome rejections under 35 U.S.C. § 112, second paragraph, and included all of the limitations of the base claim and intervening claims. Claim 4 has been objected to being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicant respectfully traverses all rejections.

Independent claims 1 and 9 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Izumi. Claim 9 has been amended to require the spool valve described in claim 1 including all of its limitations. Claims 1 and amended claim 9 in part require a hydraulic spool valve characterized in that "for each compression spring an expansion path, starting from the pre-stress state and limited by a stop ... is acted upon by the two compression springs." The Izumi reference does not

teach the compression springs having an expansion path starting from a pre-stress state nor that the valve is acted upon by the two compression springs. Specifically, instead Izumi teaches a valve 4 having a spool 4b within an outlet chamber 4i and has valve seats 4e, 4f that are compressed against the outlet chamber 4i by springs 4c, 4d. The springs 4c, 4d starting at the pre-stressed state do not have an expansion path as when the spool 4b moves to the left or the right, springs 4c, 4d compress and do not expand. Additionally, when the spool 4b moves to one direction such as for example, the left, the spring 4c will act upon it and the valve seat 4e will come away from chamber 4i, however, spool seat 4f and spring 4d will not affect the spool 4b. Thus, at no time is spool 4b acted upon by both compression springs 4c and 4d. (See Col. 3, lines 30-43). The reference to Mangano does not cure Izumi as Mangano operates in a similar fashion with springs 39 and 41 only compressing when the bottom walls 38 and 40 act against them and at no time do both springs act upon slide element 18. Thus, none of the prior art references teach a hydraulic spool valve having a compression spring with an expansion path starting from the pre-stress state nor do they teach a spool that is acted upon by two compression springs. Therefore, each and every limitation of independent claims 1 and 9 are not met and the anticipation rejection is considered overcome. Claims 2-8 depend on claim 1 and claim 11 depends on claim 9 and for at least this reason are considered in allowable form.

CONCLUSION

In view of the above remarks and arguments, Applicant believes that claims 1-9 and 11 are in condition for allowance and Applicant respectfully requests allowance of such claims.

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

All fees or extensions of time believed to be due in connection with this response are attached hereto; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Respectfully submitted,



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